

(PCT Article 36 and Rule 70)

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/010542

## Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-16 as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- nos. 2-23 as originally filed/furnished
- nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- nos.\* 1, 24 received by this Authority on 18.04.2005 with letter of 18.04.2005
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- sheets 1/1 as originally filed/furnished
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>9-11</u>	YES
		Claims <u>1-8, 12-24</u>	NO
	Inventive step (IS)	Claims _____	YES
		Claims <u>1-24</u>	NO
	Industrial applicability (IA)	Claims <u>1-24</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	<p>1. This report makes reference to the following documents:</p> <p>D1: DE 41 33 060 A (MANNESMANN AG) 8 April 1993 (1993-04-08)</p> <p>D2: EP-A-0 604 404 (CATERPILLAR INC) 29 June 1994 (1994-06-29)</p> <p>2. The present application does not meet the requirements of PCT Article 33(1), because the subject matter of claims 1 and 24 lacks novelty within the meaning of PCT Article 33(2).</p> <p>2.1 D1 discloses (the reference signs in parentheses refer to said document):</p> <p>a steering system for an agricultural or industrial utility vehicle, more particularly a tractor, an electric drive (9) being provided for each half of an axle, preferably a front axle (3), of the utility vehicle (61), by means of which electric drive at least one wheel (1) associated with each axle</p>		

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	<p>half can be driven, the electric drive (9) being actuatable in such a manner that the torque that can be predetermined by the electric drive (9) can be transmitted to the wheel (1) driven thereby, and the wheels (7) associated with a mechanical drive axle of the utility vehicle, particularly a rear axle (5), can <b>preferably</b> be driven by a mechanical drive of the utility vehicle that is driven <i>by means of a combustion engine</i>, the torque to be transmitted from a wheel on the outside when turning in order to support or cause the steering of the utility vehicle (6) being greater than the torque to be transmitted from a wheel on the inside when turning (cf. column 12, line 29 to column 13, line 35, figure 1).</p> <p>2.2 Therefore, the subject matter of claim 1 lacks novelty (PCT Article 33(2)).</p> <p>2.3 D1 also discloses (the reference signs in parentheses refer to said document): a method for operating a steering system for an agricultural or industrial utility vehicle, more particularly a tractor, an electric drive (9) being provided for each half of an axle, preferably a front axle (3), of the utility vehicle (61), by means of which electric drive at least one wheel (1) associated with the each axle half can be driven, the electric drive (9) being</p>

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	<p>actuatable in such a manner that the torque that can be predetermined by the electric drive (9) is transmitted to the wheel (1) driven thereby, and the wheels (14) associated with a mechanical drive axle of the utility vehicle (61), particularly a rear axle (5), are <b>preferably</b> driven by a mechanical drive of the utility vehicle (61) that is driven <i>by means of a combustion engine</i>, and the method for operating a steering system according to one of the claims 1 to 23 preferably being used, the torque to be transmitted from a wheel on the outside when turning being greater than the torque to be transmitted from a wheel on the inside when turning (cf. column 12, line 29 to column 13, line 35, figure 1).</p> <p>2.4 Therefore, the subject matter of claim 24 lacks novelty (PCT Article 33(2)).</p> <p>2.5 Observation: the term "preferably" refers to an optional embodiment of the claims.</p> <p>3. Dependent claims 2-23 contain no features that, in combination with the features of any claim to which they refer, meet the PCT requirements for novelty and inventive step; see documents D1 and D2 and the corresponding text passages indicated therein.</p>